

Issued January 10, 1914.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2628.

(Given pursuant to section 4 of the Food and Drugs Act.)

U. S. v. 12 Cases Syrup. Decree of condemnation by default. Product ordered sold or destroyed.

MISBRANDING OF SYRUP.

On January 27, 1913, the United States Attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of syrup, remaining unsold in the original unbroken packages and in possession of Saltman Bros., Bridgeport, Conn., alleging that the product had been shipped on or about December 19, 1912, by Goulding Bros., Whitman, Mass., and transported from the State of Massachusetts into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "2 doz. 10¢ Size Appetone Brand—Trade Mark—Fancy Syrup—Put up by Goulding Bros., Whitman, Mass." (On bottles) "75% Cane Sugar 25% Maple. Appetone Brand Blended Fancy Syrup—Made from Cane and Maple Sugar—Prepared by Goulding Bros., Whitman, Mass."

Misbranding was alleged in the libel for the reason that the product was labeled "75% Cane Sugar 25% Maple" and "Appetone Brand Blended Fancy Syrup—Made from Cane and Maple Sugar—Prepared by Goulding Bros., Whitman, Mass.", when, as a matter of fact, the syrup did not contain 25 per cent of maple syrup, but less than 5 per cent of maple syrup.

On March 14, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be sold or destroyed by the United States marshal.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 24, 1913.*

